

The **Board of Examiners for Nursing** held a meeting on **May 7, 2014** at the Department of Public Health Complex, Conference Room 470-A.B, 410 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Mary M. Brown, RN
Lisa S. Freeman, Public Member
Ellen M. Komar, RN
Jennifer Long, APRN
Gina M. Reiners, RN
Robin Rettig Cattanio, LPN
Carrie Simon, Public Member

BOARD MEMBERS ABSENT: Geraldine Marrocco, RN

ALSO PRESENT: Joanne V. Yandow, Counsel to the Board, DPH
Jennifer Filippone, Section Chief, PLIS, DPH
Pamela Pelletier-Stevens, Nurse Consultant, DPH
Matthew Antonetti, Staff Attorney, Licensure Regulation and Compliance, DPH
Linda Fazzino, Staff Attorney, Licensure Regulation and Compliance, DPH
Diane Wilan, Staff Attorney, Licensure Regulation and Compliance, DPH
Janice E. Wojick, Administrative Assistant, DPH
Tynan E. Cooney, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:35 AM.

STUDENTS

There were no students in attendance at this meeting.

OPEN FORUM

There were no comments or questions from the audience.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Revised Agendas were e-mailed to the Board Members yesterday.

LEGISLATIVE UPDATE

At midnight tonight the 2014 Legislative Session concludes. Jennifer Filippone provided a brief update.

SCHOOL ISSUES – STONE ACADEMY – WEST HAVEN CAMPUS PROGRAM DIRECTOR

Joseph Bierbaum, President, and Mary Walker, Interim Program Manager for the West Haven Campus, were present from the program. The program has appointed Mary A. Walker as the Interim Program Manager for the West Haven Campus effective April 4, 2014. Ms. Walker has been a faculty member of the campus since 2010 and has over 40 years of nursing experience. Mary Brown moved and Gina Reiners seconded to accept the appointment of Ms. Walker as the Interim Program Manager. The motion passed unanimously.

SCHOOL ISSUES – LINCOLN TECHNICAL INSTITUTE – CLOSING OF HAMDEN CAMPUS

Patricia DeLucia, LTI's Regional Director of Nursing, and Louise Simmonetti, Program Manager of the Hamden Campus, were present from the program to present their action plan to the Board as they are closing the entire Hamden Campus on June 30, 2014. They provided a seamless transition for their students to complete their education at either their New Britain Campus or their Shelton Campus. The nursing management team will be meeting with the students to assist them with the transition which should have no impact on their progression through the program. Lincoln's Hamden faculty will be placed at either campus and for those who will not make the transition, a severance package will be developed. Faculty will remain at the Hamden Campus up to the final day of operation to ensure that quality education is provided. Gina Reiners moved to approve LTI's Action Plan to close the Hamden Campus. The motion was seconded by Ellen Komar and passed unanimously.

SCHOOL ISSUES – ACHIEVE TEST PREP – ON-LINE RN PROGRAM – 3 CT LOCATIONS

The Board Office received an anonymous letter expressing concerns that an organization, Achieve Test Prep, is operating an unlicensed independent post-secondary school and/or tutoring company offering nursing education in CT offering location based and/or virtual classes for LPN to RN programs, BSN bridge program, and testing preparation. This letter has been sent to the Office of the Attorney General and the Office of Higher Education for review. Pat Santoro of OHE informed Pamela Pelletier-Stevens that a Cease & Desist Order was issued by OHE and currently they are researching the company's operation to ensure no pre-licensure programs are offered. Pat Santoro will keep the Board Office informed if there are any issues that arise from their research of this company that the Board needs to act on.

SCHOOL ISSUES – UNIVERSITY OF BRIDGEPORT BSN PROGRAM–Bridgeport Hospital School of Nursing

Carol Papp, Director of the Bridgeport Hospital School of Nursing, and Dr. Stephen Healy, Dean of the University of Bridgeport's School of Arts and Sciences, were present for this discussion. The Bridgeport Hospital School of Nursing sent a Letter of Intent to the Board Office on March 31, 2014 explaining their plan to transition to a BSN Program through the University of Bridgeport. A secondary letter was sent on April 14, 2014 stating that BHSON will accept their final class for the Diploma Nursing Program in August of 2016 and this class would graduate in May of 2018. In addition, the Board Office received a letter from the University of Bridgeport dated April 15, 2014 indicating intent to pursue offering a BSN Degree. This will entail submitting a Feasibility Study to the Board and undertaking other steps defined in the Nursing School Regulations. The University also will be submitting material in due course to the CT Office of Higher Education and the Commission on Collegiate Nursing Education. The University is collaborating with the Bridgeport Hospital School of Nursing and plans are being developed to integrate resources of the School into the University. The proposed BSN will build on the history of that fine school. Both institutions are excited about this project and look forward to working with the Board. The Board wished both programs luck with this very interesting process.

SCHOOL ISSUES – CT TECHNICAL HIGH SCHOOL SYSTEM LPN PROGRAMS – CURRICULUM REVISION

For the minutes, the Board Office received a letter from Patricia Fennessy, the Education Consultant for the CT Technical High School System LPN Programs, advising the Board that they will be revising their LPN curriculum. Ms. Fennessy stated that she will keep the Board informed as to the progress and will submit the revised curriculum for approval to the Board in June 2014.

SCOPE OF PRACTICE – DECLARATORY RULING – APRNs LICENSED in CT PERFORMING PHYSICAL EXAMINATIONS FOR COMMERCIAL DRIVER'S LICENSE

Carrie Simon motioned to initiate a Declaratory Ruling Proceeding to issue a ruling on the above, without a public hearing, which was requested by the U.S. Department of Transportation. The motion was seconded by Jennifer Long and passed unanimously. After review and discussion of the documents received from the U.S. Department of Transportation, Jennifer Long moved and Carrie Simon seconded that APRNs are indeed qualified to perform physical examinations for commercial driver's licenses. The motion passed unanimously.

CORRESPONDENCE AND STATISTICS ON INQUIRIES

Pamela Pelletier-Stevens reviewed the calls received in the Board Office with the Board. This month the largest volume of calls were from LPN's regarding their scope of practice in the homecare and physician office setting. In homecare, they must call the RN assigned to the case in changes of condition and/or questions regarding the plan of care. In the physician office, a RN must be available for the LPN to ask questions and ensure they work under the direction of an RN not a physician per the nurse practice act.

NATIONAL COUNCIL OF STATE BOARDS OF NURSING UPDATE

The NCSBN signed the Membership agreement on April 15, 2014.

The NCSBN Annual Meeting will be held in Chicago August 13-15, 2014. Please let Chair Bouffard know if you are planning to attend.

APPROVAL OF MINUTES

Janice E. Wojick presented the Board with the minutes of April 2, 2014. Jennifer Long moved and Ellen Komar seconded, that the minutes be approved as written. The motion passed with one abstention: Lisa Freeman.

BOEN 2014 MEETING CALENDAR

The Board reviewed and discussed their meeting dates for the remainder of 2014 and also for 2015. By Statute the BOEN only has to meet quarterly. In the past, the Board would meet twice per month, and then at some point in time the Board reduced their meetings to 21 times per year meeting only once per month in the months of January, July, and August and twice per month all other months. Due to the reduction in the amount of cases being presented to the Board, the Board is going to try meeting only once per month for the remainder of 2014. Effective in June 2014, the Board will meet as follows: June 4th, July 16th, August 20th, September 3rd, October 1st, November 5th, and December 3rd.

In the event that there is an emergency Motion for Summary Suspension, Lisa Freeman moved, which was seconded by Mary Brown, to meet telephonically on the following dates: June 18th, September 17th, October 15th, November 19th, and December 17th. The primary site to be used for these emergency telephonic meetings will be at the Department of Public Health in Conference Room 3-C. The motion passed unanimously. Prior to the emergency meeting, the Board will be e-mailed the Motion for Summary Suspension packet which is received from OLRC at DPH. Emergency meetings will only be held for Motions for Summary Suspension.

Mary Brown then moved, seconded by Robin Cattanio, for all 2015 meetings to be held on the third Wednesday of each month and if the need arises for an emergency Motion for Summary Suspension meeting, the Board will meet telephonically on the first Wednesday of each month to rule on the Motion for Summary Suspension only. This motion passed unanimously.

MOTION TO WITHDRAW STATEMENT OF CHARGES – CHRISTOPHER TETRAULT, LPN

DPH Attorney Matthew Antonetti presented the Board with a Motion to Withdraw Statement of Charges as Mr. Tetrault has signed a Voluntary Surrender. Jennifer Long moved and Ellen Komar seconded to grant the Department's Motion to Withdraw Statement of Charges. The motion passed unanimously.

MOTION FOR SUMMARY SUSPENSION – GREGORY KLIMAYTIS, RN

Staff Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Mr. Gregory Klimaytis. Mr. Klimaytis was not present and did not have representation at this meeting.

Ellen Komar moved to grant the Department's Motion for Summary Suspension. The motion was seconded by Carrie Simon and passed unanimously.

MOTION FOR SUMMARY SUSPENSION – EVA LENGYEL, LPN

Staff Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Ms. Eva Lengyel. Ms. Lengyel was not present and did not have representation at this meeting.

Jennifer Long moved to grant the Department's Motion for Summary Suspension. The motion was seconded by Gina Reiners and passed unanimously.

At this point the Board requested that Kathleen Boulware, Public Health Services Manager at DPH Investigations Unit, attend the June 4th BOEN meeting to explain the relationship between DPH and the HAVEN Program.

CONSENT ORDER – SHAWN HOWARD, RN

Staff Attorney Diane Wilan presented the Board with a Consent Order for Shawn Howard. Mr. Howard was present without representation. Mary Brown moved to accept the Consent Order as written, The motion was seconded by Gina Reiners and passed with all in favor with two abstentions: Carrie Simon and Lisa Freeman.

CONSENT ORDER – HEATHER ALFONSO, APRN

Staff Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Alfonso was present with counsel, Attorney Joanne Sheehan. Mary Brown moved to accept the Consent Order as written. The motion was seconded by Gina Reiners. Chair Bouffard took the vote: In favor of granting the Consent Order: were Gina Reiners, Robin Rettig Cattanio, Jennifer Long, and Mary Brown. Opposed: were Lisa Freeman, Ellen Komar, Carrie Simon, and Chair Bouffard. The motion failed. It was the recommendation of the Board that Ms. Alfonso complete coursework approved by the Department of Public Health regarding scope of practice with the focus on the responsibility of delegation to unlicensed assistive personnel.

HEARING – NATALIE PRIMINI, LPN

Staff Attorney Diane Wilan was present representing the Department of Public Health. Ms. Primini was not present and did not have representation at this hearing. There was no testimony provided. Gina Reiners recused herself from all proceedings related to this case.

Attorney Wilan made a Motion to Deem Allegations Admitted as Ms. Primini did not attend the hearing nor did she provide an Answer to the Statement of Charges. Jennifer Long moved, which was seconded by Mary Brown, to grant the Motion to Deem Allegations Admitted and that Ms. Primini be found as charged as she has had over one year to file an answer to the Statement of Charges. As of today's date Ms. Primini has not filed an Answer to the Statement of Charges. The motion passed with one abstention: Robin Cattanio.

There was no testimony provided. Jennifer Long moved, which was seconded by Lisa Freeman, to revoke Ms. Primini's license. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 10:55 AM.

Patricia C. Bouffard, D.N.Sc., Chair
Board of Examiners for Nursing

The **Board of Examiners for Nursing** held a meeting on **May 21, 2014** at the Legislative Office Building, Conference Room 1-A, 300 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Mary M. Brown, RN
Ellen M. Komar, RN
Jennifer Long, APRN
Geraldine Marrocco, RN – *via telephone till 9:15 AM*
Robin Rettig Cattanio, LPN
Carrie Simon, Public Member

BOARD MEMBERS ABSENT: Lisa S. Freeman, Public Member
Gina M. Reiners, RN

ALSO PRESENT: Stacy M. Schulman, Counsel to the Board, DPH
Jennifer Filippone, Section Chief, PLIS, DPH
Brittany Allen, Staff Attorney, Licensure Regulation and Compliance, DPH
Joelle Newton, Staff Attorney, Licensure Regulation and Compliance, DPH
David Tilles, Staff Attorney, Licensure Regulation and Compliance, DPH
Diane Wilan, Staff Attorney, Licensure Regulation and Compliance, DPH
Janice E. Wojick, Administrative Assistant, DPH
Gail Gregoriades, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:30 AM.

STUDENTS

Chair Bouffard welcomed students from all three Lincoln Technical Institute's LPN Campuses.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Revised Agendas were e-mailed to the Board Members and posted on the Web Page prior to today's meeting. There were no additional items.

REINSTATEMENT HEARING REQUEST – LAURENE MORGAN, RN

Ms. Morgan was present pro se. The Board reviewed the documents provided. Mary Brown moved to grant Ms. Morgan's request for a reinstatement hearing. The motion was seconded by Jennifer Long and passed unanimously, including Geraldine Marrocco via telephone. The hearing will be held on August 20, 2014.

DISCUSSION: SECURITY OF ELECTRONIC DOCUMENTS

The Board has concerns with receiving all agenda meeting documents electronically. The Board is a Volunteer Board and there are no benefits. They are not reimbursed for mileage, lunch, or time out of work, etc. Most members work full-time and meeting preparation is done late in the evening. Reading the material prior to the meeting is critical to ensure that the meetings proceed in a timely manner. Hard copies provide Board Members the ability to comment and highlight sections that need further clarification and questioning. This activity cannot take place on a PDF using a computer. Board Members view their participation on the Nursing Board as 'giving back to the profession.' The expectation that this entirely volunteer Board will assume the cost of printing out documents is unconscionable. Members already give hours of their time and expertise. If they print out the documents there again is an additional cost for paper and toner which will not be reimbursed.

Although the Department's process might ensure confidentiality, the Board Members themselves will print out the documents on unsecured printers. Some Members have tried to use their iPads/lap tops at the LOB and DPH and many are not successful in getting service.

MOTION FOR SUMMARY SUSPENSION – SHERI L. JULIAN, LPN

Staff Attorney Joelle Newton presented the Board with a Motion for Summary Suspension for Sheri L. Julian. Ms. Julian was not present and did not have representation at this meeting.

Mary Brown moved, which was seconded by Jennifer Long, to grant the Department's Motion for Summary Suspension. The motion passed unanimously, including Geraldine Marrocco via telephone.

CONSENT ORDER – AMANDA ESPINOSA, LPN

Staff Attorney Joelle Newton presented the Board with a Consent Order for Amanda Espinosa. Ms. Espinosa was not present and did not have representation at this meeting.

Jennifer Long moved to accept the Consent Order as presented. The motion passed with all in favor, including Geraldine Marrocco via telephone, and Robin Cattanio abstained.

CONSENT ORDER – KYLE McCLINTOCK, APRN, RN

Staff Attorney Joelle Newton presented the Board with a Consent Order for Kyle McClintock. Ms. McClintock was not present and did not have representation at this meeting.

After discussion regarding EtG cut off levels and frequency levels of urine screen, it was the Board's decision to table this to a future date to attain more information regarding the cut off levels and to change the frequency of the drug/alcohol screens to twice per month for the 1st and 4th years and then monthly for the second and third years.

CONSENT ORDER – KERRY CURRAN, LPN

Staff Attorney Joelle Newton presented the Board with a Consent Order for Kerry Curran. Ms. Curran was not present and did not have representation at this meeting.

Mary Brown moved to accept the Consent Order as presented. The motion was seconded by Geraldine Marrocco and passed unanimously. Chair Bouffard signed the Order.

MEMORANDA OF DECISION

All Board Members received the Memoranda of Decision prior to today's meeting.

PAMELA DOLE, APRN, RN

Jennifer Long moved, which was seconded by Ellen Komar, to reaffirm the Board's prior decision to dismiss the charges related to Ms. Dole's RN and APRN licenses. The motion passed with two abstentions: Mary Brown and Robin Cattanio. Chair Bouffard commented on how well written and detailed this decision was. Chair Bouffard signed the MOD.

JENNIFER R. COTE, LPN

Jennifer Long moved and Geraldine Marrocco seconded to reaffirm the Board's prior decision to revoke Ms. Cote's LPN License. The motion passed unanimously. Chair Bouffard signed the MOD.

MOTION OF ORDER AND ERASURE OF STATEMENT OF CHARGES - PAMELA DOLE, APRN, RN

Ms. Dole was not present for this discussion. After review of the documentation presented, Mary Brown moved to deny Ms. Dole's request as it is not in the Board's purview to control what goes on the DPH Licensure Web Site. The motion passed with all in favor with the exception of Robin Cattanio who abstained and Geraldine Marrocco was opposed.

HEARING – RATTANA DUONG, RN

Staff Attorney David Tilles was present representing the Department of Public Health. Ms. Duong was present pro se. Testimony was provided by Ms. Duong.

Mary Brown moved that Ms. Duong be found as charged. The motion was seconded by Ellen Komar and passed unanimously.

Mary Brown moved that Ms. Duong's license be placed on probation for six months with monthly employer reports and no employment for a personnel provider service, assisted living services, etc., and shall be self-employed during the probation. She must successfully complete the Department approved coursework as follows: scope of practice related to delegation, leadership and chain of command, neuro-assessment, and management in stressful environments. The motion was seconded by Jennifer Long and passed unanimously.

Jennifer Long left at this time for the day.

HEARING – DAYNA WRIGHT, LPN

DPH Staff Attorney Diane Wilan was present representing the Department of Public Health. Ms. Wright was not present and did not have representation at this hearing. There was no testimony provided.

Attorney Wilan motioned to Deem the Allegations Admitted. Mary Brown moved, seconded by Ellen Komar, to grant the Department's Motion, which passed unanimously.

Ellen Komar moved, seconded by Mary Brown, that Ms. Wright be found on all charges as the charges were deemed admitted. The motion passed unanimously.

Ellen Komar moved, seconded by Carrie Simon, that Ms. Wright's license be revoked. The motion passed unanimously.

HEARING – LESLIE MATEJEK, RN

DPH Staff Attorney Diane Wilan was present representing the Department of Public Health. Ms. Matejek was present with counsel, Attorney Ralph Crozier. Testimony was provided by Jolanta Gawinski, DPH, and Ms. Matejek.

Mary Brown moved that Ms. Matejek be found on all charges. The motion was seconded by Robin Cattanio and passed unanimously.

Mary Brown moved to extend Ms. Matejek's probation one additional year concluding on February 1, 2016 with weekly drug/alcohol screen reports. The motion was seconded by Robin Cattanio and passed unanimously.

Mary Brown then moved that the Summary Suspension of Ms. Matejek's RN License be immediately vacated. The motion was seconded by Carrie Simon and passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 1:10 PM.

STUDENTS

After the adjournment of today's meeting, Chair Bouffard provided the students with an overview of the Board's responsibilities, jurisdiction, and nursing education programs.

Patricia C. Bouffard, D.N.Sc., Chair
Board of Examiners for Nursing